

## **EXECUTIVE SUMMARY** **Florida Barbers' Board**

### **I. General Information**

Meeting Type:	General Business Meeting
Meeting Date:	Monday, February 8, 2010
Meeting Location:	Casa Monica Hotel 95 Cordova Street St. Augustine, Florida 32084

#### Attendees:

Herman White, Chair  
Carl Troup, Vice Chair  
Robert Collins  
Edwin Stewart  
Thomas Vaughn  
Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Carrol Cherry, Assistant Attorney General, Attorney General's Office  
Jason White, Assistant General Counsel, DBPR  
Julie Rowland, Government Analyst, DBPR  
Katharine Dodson, Administrative Assistant, DBPR  
Lisa Beauchamp, Court Reporter  
Other interested parties

### **II. Major Issues/Actions**

- Chair Herman White excused the absence of Ms. Julie Rivera from the board meeting.
- The board considered 23 endorsement applications, 12 disciplinary cases, one continuing education provider application, and one continuing education course application.
- Mr. Jason White, Assistant General Counsel, informed the board that there were 93 barbering cases in the Office of the General Counsel as of January 15, 2010. The board agreed to allow Mr. White to continue the handling of all barbering cases over a year old.
- The board asked Ms. Carrol Cherry, Assistant Attorney General, to draft language for development of a rule calling for suspension of licenses in disciplinary cases when payment in full is not received within 30 days after the entry of a final order.
- Ms. Barineau mentioned the department's new form for a licensee to report a criminal conviction, a new requirement in accordance with Section 455.227(1)(t), Florida Statutes. As requested by Mr. Jerry Wilson, Director of the Division of Regulation, the board will consider how to address discipline for late reporting of

a criminal conviction. The board asked Ms. Cherry, Mr. White and Ms. Barineau to meet on this topic and provide suggestions at the next board meeting.

- The board suggested that the department include information on renewal notices and possibly on printed licenses informing licensees of the new requirement that they must inform the department within 30 days after a conviction, finding of guilt, plea, regardless of adjudication. Mr. Robyn Barineau, Executive Director, informed the board that this information is now available on the web site and will be included in future newsletters.
- Ms. Barineau informed the board that the balance in their operating account on September 30, 2009, was \$284,572, and the balance in their unlicensed activity account for the same period was \$171,893. She added that financial projections indicate that this board will maintain a positive cash balance through, at least, June 30, 2013.
- Ms. Cherry indicated that the Joint Administrative Procedures Committee (JAPC) objected to the proposed changes to Rule 61G3-19.011, Florida Administrative Code – Barbershop Requirements. JAPC objected to the actual cite to the Board of Cosmetology rule relating to pedicure equipment sterilization and disinfection, which was included in the barbershop requirements rule amendment. Ms. Cherry will incorporate the actual language from the Board of Cosmetology rule in the board’s rule and resubmit the language to JAPC for review.
- Ms. Cherry informed the board that the amendment to Rule 61G3-19.015, Florida Administrative Code – Inspections, changing barbershop inspections from annually to biennially will be effective July 1, 2010.
- Ms. Cherry informed the board that she has taken on a new role in the Office of the Attorney General and will no longer be serving as their board counsel. The board thanked her for a job well-done.
- The board asked Ms. Barineau to research whether or not there were any funds available to prepare and distribute at inspections and to barbering schools a pamphlet informing licensees and potential applicants about specific laws and rule relating to sanitation, disinfection, reporting of criminal convictions, unlicensed activity, and other important information. She informed the board that this information can be included in newsletter. She will report her findings at the next board meeting.
- Ms. Barineau reported the following future meeting dates and locations:
  - May 17, 2010 – Tallahassee
  - August 9, 2010 – Palm Beach
  - November 15, 2010 - Tampa

### **III. Legislation/Rule Promulgation**

- Ms. Cherry will move forward with development of a rule to suspend licenses in disciplinary matters when payment in full is not received within 30 days after the entry of a final order.
- Ms. Cherry will incorporate the actual language from the Board of

Cosmetology rule relating to sanitation and sterilization of pedicure equipment into Rule 61G3-19.011, Florida Administrative Code – Barbershop Requirements, and resubmit the proposal to JAPC for their review.

#### **IV. Action Required**

- Ms. Cherry will prepare all final orders and forward them to board staff for filing with the department's Agency Clerk.
- Ms. Cherry, Mr. White and Ms. Barineau will meet and will discuss how to address late reporting of a criminal conviction and provide suggestions at the May meeting.
- Ms. Barineau will discuss with the department the possibility of adding to renewal notices and license prints the new language regarding the reporting of criminal convictions.
- Ms. Barineau will research the possibility of preparing a barbering pamphlets and report her findings at the next meeting.

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Robyn Barineau  
Executive Director  
February 9, 2010